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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105-3901**

**SFUND RECORDS CTR
2113427**

November 30, 2006

Devon M. Lyon, Esq.
202 Fashion Lane, Suite 208
Tustin, CA 92780

Re: Freedom of Information Act ("FOIA") Request 09-RIN-00042-07 re Omega
Chemical Superfund Site; Information Pertaining to Robert O. Berg

Dear Ms. Lyon:

This letter follows up on my telephone call to you on November 28, 2006. The U.S. Environmental Protection Agency ("EPA") has received a request under FOIA for records regarding the Omega Chemical Superfund site, which encompasses information that you sent to EPA, on behalf of Robert O. Berg, in response to EPA's June 27, 2006 Request for Information under CERCLA Section 104(e). That Request for Information related to EPA's investigation of soil and groundwater at the Omega site, and your client's facility at 8915 Sorensen Avenue, Santa Fe Springs, California.

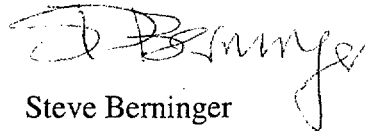
In your October 1, 2006 letter responding to the Section 104(e) request, you did not claim as confidential business information ("CBI") any of the information provided on behalf of Mr. Berg. EPA's Request for Information contained specific instructions for requesting that EPA treat information confidentially. A copy of the June 27, 2006 letter has been enclosed for your convenience.

By this letter, EPA is attempting to confirm that you are not requesting that EPA treat as confidential any of the information you provided on October 1. If you do wish to make this request, please notify me immediately at (415) 972-3909. If we do not hear from you within seven days from the date of this letter, we will assume that you are not making a confidentiality claim.

In addition, please note that, in accordance with applicable EPA regulations (40 C.F.R. Part 2, Subpart B), any claim you make that information should be treated as confidential must be substantiated before EPA makes a confidentiality determination. Accordingly, if you believe that some or all of the information provided in your

October 1 response is entitled to confidential treatment, please follow the instructions in the EPA's June 27 letter (enclosed).

Sincerely,

A handwritten signature in dark ink, appearing to read "S. Berninger". The signature is stylized with a large, sweeping "S" and a long, trailing flourish at the end.

Steve Berninger

Enclosure